

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the accompanying circulars were false and misleading since the article was not effective in the treatment of the conditions stated and implied. The statements represented and suggested that the article would be efficacious for the relief of indigestion and gas; that it would be efficacious in the cure, mitigation, treatment, and prevention of sour stomach, heartburn, belching, and bloating, nervous, dizzy spells, headaches, eyestrain, rheumatism, arthritis, neuritis, pimples, boils, rashes, skin eruptions, nervousness, sleeplessness, high blood pressure, anemia, catarrh, sinus trouble, distress after eating, acid stomach, liver, kidneys, and bladder, and intestinal disorders, colds, rheumatic muscular aches and pains in the feet, legs, hips, arms, and shoulders; that the article would raise total vitality, boost muscle power, restore manly vigor, and bring back that glad to be alive feeling; and that it was a youth restorer. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: November 15, 1949. The Standard Sales Co., claimant, having filed an answer denying the allegations of the libel, but subsequently having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

3032. Misbranding of Elemin Tablets. U. S. v. 71 Bottles, etc. (F. D. C. No. 27997. Sample No. 60443-K.)

LIBEL FILED: September 23, 1949, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about August 15, 1949, by G & J Distributors, from Berkeley, Calif.

PRODUCT: 71 700-tablet bottles and 67 240-tablet bottles of *Elemin Tablets* at Milwaukee, Wis., in possession of SMS Distributors, together with a number of copies of a booklet entitled "Facts You Should Know About Elemin." The booklets were printed in Milwaukee by copying the text of printed matter sent to SMS Distributors by G & J Distributors.

LABEL, IN PART: (Bottle) "Elemin As a Source of the Minerals Iron and Iodine Contains: Iodine and Iron as naturally present in dehydrated kelp, iron gluconate and a Sedimentary Mineral Deposit."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the booklets were false and misleading since the article was not effective for the purposes stated and implied. The statements represented and suggested that the article was effective to prevent and correct pyorrhea, gingivitis, poor teeth, tooth decay, arthritis, hemorrhoids, chronic bronchitis, acne vulgaris, pimples, epilepsy, constipation, asthma, hay fever, eczema, nervousness, run-down condition, insomnia, anemia, rheumatic fever, diabetes, poor circulation, high and low blood pressure, undulant fever, indigestion, old-age deposits, poor resistance, mental fatigue, liver disorders, hyperacidity, glandular troubles, poor eyesight, baldness, gray hair, skin disorders, sterility, lameness, stomach ulcers, bone deformities, rickets, tuberculosis, chronic gastritis, indigestion, heart disease, neuritis, and lumbago. The article was misbranded when introduced into, while in, and while held for sale after shipment in interstate commerce.

DISPOSITION: November 4, 1949. A default decree was entered, providing for condemnation of the product and its disposition in accordance with the further order of the court. On November 18, 1949, the product was destroyed by the marshal.